

### REMARKS

Applicant has removed a member from each of the Markush groups recited in claims 1 and 4. Applicant has also amended claim 1 to promote clarity, amended claim 3 to correct a typographical error, and amended claim 6 to rectify deficiencies. In addition, the specification has been amended to correct a typographical error and a deficiency. No new matter has been introduced by the above amendments.

Upon entry of the above amendments, claims 1, 3, 4, and 6 are pending. Applicant respectfully requests reconsideration of this application, as amended, in view of the following remarks.

### Objections

The Examiner objects to the specification on the ground that the abstract contained therein exceeds the 150-word limit set forth in 37 CFR 1.72(b). Applicant has provided hereby a concise abstract.

The Examiner also objects to the specification and claim 1 for containing typographical errors. Applicant has corrected the errors.

### Rejection under 35 U.S.C. § 112

The Examiner rejects claims 5 and 6 for indefiniteness. Claim 5 has been canceled. Only claim 6 will be discussed.

The Examiner asserts that claim 6 omits two essential elements, i.e., cornstalk and silicate. Applicant has amended claim 6 to make it dependent from claim 1. As claim 1 recites cornstalk and silicate, amended claim 6 also includes these two elements.

### Rejection under 35 U.S.C. § 102

The Examiner has rejected claims 1-5 for anticipation, relying on Yu et al., Korean Application Publication 1020030093057 (Yu). Claims 2 and 5 have been cancelled. Among the remaining claims, claims 1 and 4 are independent and will be discussed first.

Claim 1, as amended, covers a cornstalk board containing cornstalk, a curing agent, and **silicate**. Claim 4, as amended, covers a method of making a cornstalk board by mixing cornstalk, **silicate**, and a curing agent, and molding the mixture under unique conditions. Both claims 1 and 4 require use of **silicate**.

Yu discloses a plywood material made of cornstalk. See the abstract. The Examiner specifically relies on Embodiment 6 described in this reference to reject claims 1 and 4. See the Office Action, page 4, line 27 through page 5, line 2. This embodiment contains cornstalk, a curing agent, and **resin**. Unlike claims 1 and 4, it does not require use of silicate. Of note, resin is different from silicate. More specifically, the former is a hydrocarbon polymer (i.e., **containing carbon and hydrogen**), while the latter is a **silicone-containing** compound.

Since Yu does not teach or even suggest use of silicate required by claims 1 and 4, it clearly does not anticipate these two claims.

For the same reason set forth above, claim 3, dependent from claim 1, is also not anticipated by Yu.

#### Rejection under 35 U.S.C. § 103

The Examiner rejects claim 6 for obviousness in view of Yu and Perlus et al., U.S. Patent No. 3,840,388 (Perlus).

Claim 6 depends from claim 1. Its patentability resides at least in part in use of silicate required by claim 1.

As discussed above, Yu does not teach or suggest using silicate. Perlus also fails to cure this deficiency. It merely teaches using a flame retardant in making wood laminate. Nowhere in this reference is silicate mentioned.

As neither Yu nor Perlus teaches or suggests using silicate, a combination of these two references also fails to do so. In other words, claim 6, requiring use of silicate, is not rendered obvious by Yu and Perlus.

Applicant(s) : Hail-il Ryu  
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Issue relating to Information Disclosure Statement

On January 15, 2009, Applicant's counsel filed an Information Disclosure Statement to disclose documents cited in a search report issued in the corresponding PCT application. In the Office Action, the Examiner requests copies of the cited foreign patent documents and non-patent literature publications. Applicant's counsel has obtained these requested documents and submitted them herewith.

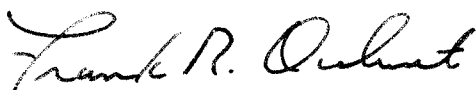
CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any other charges or credits to Deposit Account No. 50-4189, referencing Attorney Docket No. 45401-003US1.

Respectfully submitted,

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Frank R. Occhiuti, J.D.  
Reg. No. 35,306

Customer No. 69713  
Occhiuti Rohlicek & Tsao LLP  
10 Fawcett Street  
Cambridge, MA 02138  
Telephone: (617) 500-2501  
Facsimile: (617) 500-2499  
85546.doc